

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2160**

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**Introduced by Assembly Member Bass**

February 18, 2010

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An act to amend ~~and repeal~~ Section 44265.1 of the Education Code, relating to teacher credentialing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2160, as amended, Bass. Teacher credentialing: instruction to pupils with autism.

The Commission on Teacher Credentialing is authorized to issue teaching and services credentials, and is required to establish standards and procedures for the issuance and renewal of credentials. Existing law authorizes a local educational agency or school to assign a teacher who holds a level 1 education specialist credential to provide instruction to pupils with autism, subject to specified requirements. Existing law makes those provisions inoperative 2 years after the commission adopts regulations relating to the requirements for obtaining a specialist credential in special education, or on August 31, 2011, whichever occurs first, and repeals those provisions on January 1, 2012.

This bill would *delete the provision requiring the education special credential to be a level 1 credential*, would extend the inoperative date to October 1, 2013, and would repeal those provisions on January 1, 2014. The bill would express various findings and declarations of the Legislature, and would delete obsolete provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The Legislature finds and declares the  
2 following:

3     (1) In enacting Assembly Bill 2302 of the 2007–08 Regular  
4 Session (Stats. 2008, Ch. 41) the Legislature acknowledged the  
5 growing disparity between the growth of autism spectrum disorders  
6 and the failure of the state to issue a sufficient number of education  
7 specialist credentials that authorize the holders to provide  
8 instruction to pupils with moderate to severe disabilities.

9     (2) Existing law authorizes a local educational agency or school  
10 to assign a teacher who holds a level 1 education specialist  
11 credential, or a previously issued credential, that authorizes him  
12 or her to provide instruction to individuals with mild and moderate  
13 disabilities to provide instruction to pupils with autism, as defined,  
14 if the teacher consents to the assignment and satisfies certain  
15 criteria, as determined by the local educational agency or school.

16     (3) In accordance with existing law, the Commission on Teacher  
17 Credentialing reported to the Legislature and the Governor in  
18 December 2007 recommendations to modify current credentialing  
19 standards. ~~The commission established a timeline mandating that~~  
20 ~~all institutions transition to approved program standards no later~~  
21 ~~than September 1, 2011, and required all candidates enrolled in~~  
22 ~~programs under the previous standards to complete their program~~  
23 ~~by September 30, 2013. standards.~~

24     (4) The existing law is set to be repealed no later than January  
25 1, 2012.

26     (b) It is the intent of the Legislature to extend the date of the  
27 repeal of Section 44265.1 of the Education Code until January 1,  
28 2014, in order to allow all teachers working under the current  
29 legislative requirements to adhere to the approved program standard  
30 changes.

31     SEC. 2. Section 44265.1 of the Education Code is amended to  
32 read:

33     44265.1. (a) Notwithstanding any other provision of law, a  
34 local educational agency or school may assign a teacher who holds  
35 ~~a level 1~~ *an* education specialist credential, or a previously issued  
36 credential, that authorizes him or her to provide instruction to  
37 individuals with mild and moderate disabilities to provide  
38 instruction to pupils with autism, as defined by Section 300.8(c)(1)

1 of Title 34 of the Code of Federal Regulations if the teacher  
2 consents to the assignment and satisfies the criteria described in  
3 subdivision-~~(e)~~ *(b)*.

4 (b) The local educational agency or school shall determine that  
5 a teacher described in subdivision-~~(b)~~ *(a)* has satisfied either of  
6 the following prior to allowing the teacher to provide instruction  
7 to pupils with autism:

8 (1) He or she has provided full-time instruction for at least one  
9 year prior to September 1, 2007, in a special education program  
10 that serves pupils with autism pursuant to their individualized  
11 education programs and received a favorable evaluation or  
12 recommendation to teach pupils with autism from the local  
13 educational agency or school.

14 (2) He or she has completed a minimum of three semester units  
15 of coursework in the subject of autism offered by a regionally  
16 accredited institution of higher education. The local educational  
17 agency or school shall maintain the certificate or other verification  
18 of completion of the coursework on file in its office.

19 (c) Local educational agencies and schools shall report teacher  
20 assignments made pursuant to this section as part of their annual  
21 assignment monitoring pursuant to Section 44258.9.

22 (d) This section shall become inoperative on October 1, 2013,  
23 and is repealed on January 1, 2014, unless a later enacted statute  
24 that is enacted before January 1, 2014, deletes or extends the dates  
25 on which it becomes inoperative and is repealed.